

Environmental Assessment Approval

Approval Date: *Original Date October 17, 2008*

**Point Tupper Wind Farm
Renewable Energy Services Limited, Proponent**

Richmond County, Nova Scotia

The 24 MW Point Tupper Wind Farm (the "Undertaking"), proposed by Renewable Energy Services Limited (the "Proponent"), Richmond County, Nova Scotia is approved pursuant to Section 13(1)(b). This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations, by-laws, guidelines, policies or standards before commencing work on the Undertaking. It is the responsibility of the Proponent to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Information.

Terms and Conditions for Environmental Assessment Approval

1.0 General Approval

- 1.1 The Environmental Assessment Approval for the project is limited to the project as described in the Registration Document. Any proposal by the Proponent for expansion, modification or relocation of any aspect of the project from that proposed in the registration document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment.
- 1.2 The Proponent must within 2 years of the date of issuance of this approval commence work on the Undertaking unless granted a written extension by the Minister.
- 1.3 The Proponent must not transfer, sell, lease, assign or otherwise dispose of this approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.4 The Proponent must implement all mitigation and commitments in the Registration Document, unless approved otherwise by Nova Scotia Environment (NSE).

2.0 Birds and Bats

- 2.1 Prior to construction, the Proponent must conduct fall and winter surveys of migratory

birds, in consultation with Canadian Wildlife Services (CWS) and Nova Scotia Department of Natural Resources (NSDNR), to substantiate conclusions in the EA document. Results must be submitted to NSDNR and CWS.

2.2 The Proponent must develop and implement a program to monitor for birds and bats to the standards as defined by the NSDNR and CWS. Based on the results of monitoring programs, the Proponent must make necessary modifications to mitigation plans and/or wind farm operations to prevent any unacceptable environmental effects to the satisfaction of NSE, based on consultation with NSDNR and CWS.

2.3 Upon commissioning, the Proponent must document occurrences of mortalities of bats and birds resulting from the turbine towers. This study must be developed and implemented in consultation with NSDNR and CWS and continue for a period of two years. An annual report must be submitted to NSDNR and CWS.

3.0 Flora & Fauna

3.1 Prior to construction, the Proponent must conduct a survey to ensure that late-maturing plant species of conservation concern are not impacted by the project. Based on the results of this survey, the Proponent must make necessary modifications to ensure that the plant populations are not affected, in consultation with NSTC&H, Heritage Division. Results of these surveys must be submitted to NSE and NSTC&H.

3.2 Clearing must be done outside the breeding season for most birds (May 1 – August 31), unless otherwise approved by NSE.

4.0 Ground and Surface Water Resources

4.1 Prior to the construction, a field program must be conducted to delineate and characterize wetlands and streams so they can be protected during construction and maintenance activities (i.e. buffers). Results of the field program must be submitted to NSE.

4.2 The Proponent must monitor the effects of construction activities on local groundwater, at the request of NSE.

4.3 Prior to construction, the Proponent must clarify the proximity of the groundwater wells to the project site. An appropriate monitoring and mitigation plan must be developed if there are wells that will be affected nearby.

4.4 The Proponent must conduct a semi-annual visual assessment of the site to ensure the effectiveness of erosion and sedimentation controls, unless otherwise approved by NSE.

5.0 Noise and Visual Impact

5.1 The Proponent must monitor noise levels, at the request of NSE. Based on the results of monitoring program, the Proponent must make necessary modifications to

mitigation plans and/or wind farm operations to prevent any unacceptable environmental effects to the satisfaction of NSE.

- 5.2 The Proponent must develop a plan to monitor shadow flicker, at the request of NSE. Based on the results of monitoring program, the Proponent must make necessary modifications to mitigation plans and/or wind farm operations to prevent any unacceptable environmental effects to the satisfaction of NSE.

6.0 Public Consultation

- 6.1 The Proponent must develop a complaint resolution plan to address all concerns associated with the project. The Proponent must appoint a contact person designated to deal with complaints, and must provide the contact information to NSE.

7.0 Archaeological and Heritage Resources/Aboriginal Interests

- 7.1 The Proponent must engage interested Aboriginal Groups, prior to construction, to discuss any impacts on traditional Mi'kmaq resources, and to clarify project activities and identify associated mitigation measures.
- 7.2 The Proponent must cease work and contact the Director, Heritage Division, NSTC&H, and the Executive Director, Union of Nova Scotia Indians, immediately upon discovery of an archaeological site or artifact unearthed during any phase of the proposed project.

8.0 Environmental Management System

- 8.1 Prior to construction of the components of the Undertaking, the Proponent must provide NSE, for review and approval, an Environmental Protection Plan that will outline specific environmental and engineering measures that must be employed during construction.
- 8.2 The Proponent must provide NSE, for review and approval, a contingency plan developed in accordance with NSEL's Contingency Planning Guidelines.

9.0 Site Reclamation

- 9.1 The Proponent must submit a reclamation plan to NSE for review and approval, six months prior to initiating site reclamation and abandonment. The Proponent must reclaim the site to the satisfaction of NSE.

Original Signed By

Mark Parent
Minister of Environment